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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,071	08/30/2006	Marc Van Loon	3732	6173
7590 Striker Striker & Stenby 103 East Neck Road Huntington, NY 11743				
EXAMINER				
ZENATI, AMAL S				
ART UNIT		PAPER NUMBER		
2614				
MAIL DATE		DELIVERY MODE		
11/04/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/591,071

Applicant(s)

VAN LOON ET AL.

Examiner

AMAL ZENATI

Art Unit

2614

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 October 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☒ Other: _____.

/CURTIS KUNTZ/
Supervisory Patent Examiner, Art Unit 2614

Applicants' arguments, with regards to Examiner's rejection under 35 U.S.C 102 (b), filed October 14, 2009, have been fully considered but they are not persuasive

Applicants argue regarding the claim 1 on pages 5 - 6 of the Applicant's Response that "Applicant cannot agree that Fuhrmann's electronic device (e.g., telephone) is a discussion unit for use in a conference system and adapted to be connected to at least one second discussion unit, as claimed"

The Examiner respectfully disagrees with Applicant's argument, Applicants agree that Fuhrmann teaches an electronic device, and that applicants' discussion unit is an electronic device (see the Applicant Argument/Remarks on page 6 second paragraph). Moreover, Fuhrmann teaches that the invention relates to an electronic device with reference to a cordless telephone or mobile phone, and wire-connected telephone, which serves as examples of an electronic device (col. 2, lines 45-52). Mobile phone and wire-connected telephone are used also in a conference and are adapted to be connected to other communication devices (e.g., other mobile phone) in order to facilitate discussions between participants of conferences.

5. Applicants argue regarding the claim 1 on pages 7 - 8 of the Applicant's Response that Fuhrmann failed to teach "wherein the discussion unit (10) comprises an essentially closed casing (410) and at least one exchangeable portion (420) is configured as at least one closed rim (422) that is removable mounted to the closed casing (410)"

The Examiner respectfully disagrees with Applicant's argument. Fuhrmann clearly shows in Figure 1 that the electronic device housing (1) has a closed casing since the external wall element (14) which at least partially covers the housing wall (5), the external wall has also the closed rim (abstract, and fig. 1). Moreover, Fuhrmann clearly shows in Figure 1 the rim 6 of the housing 1 is covered by the exchangeable external wall element (14) (figs.: 1 and 3; and col. 3, lines 24-50). As a result, Fuhrmann discloses clearly claims 1 and 3.